

Department of Community Planning and Economic Development - Planning Division Report
Variances
BZZ-5139

Date: May 19, 2011

Applicant: Leonard, Street and Deinard, P.A.

Address of Property: 1720 West Franklin Avenue

Project Name: 1720 West Franklin Avenue

Contact Person and Phone: Eric Galatz, (612) 335-1509

Planning Staff and Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: April 22, 2011

End of 60-Day Decision Period: June 20, 2011

End of 120-Day Decision Period: August 19, 2011 (*Staff sent extension letter May 9, 2011*)

Ward: 7 **Neighborhood Organization:** Lowry Hill Neighborhood Association

Existing Zoning: R2 Two-Family District and SH Shoreland Overlay District

Zoning Plate Number: 18

Legal Description: Not applicable.

Proposed Use: Two-family dwelling; the proposed project is to allow for an addition to the existing dwelling above the attached garage

Concurrent Review:

- Variance to reduce the minimum north interior side yard setback from 5 feet to approximately .3 feet (3.5 inches)
- Variance to reduce the minimum rear yard setback from 6 feet to approximately 3 feet

Zoning code section authorizing the requested variance: Chapter 525, Article IX Variances, Specifically Section 525.520(1)(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.”

Background: The subject property is approximately 16,820 sq. ft. and the existing use of the property is a two-family dwelling. One of the dwellings units is located in the existing residential structure and the

Department of Community Planning and Economic Development – Planning Division
BZZ-5139

second dwelling unit is located above the existing attached garage. The applicant is proposing to remodel the existing structures on the property.

The work proposed is summarized as follows:

- Demolition of some interior partitions, finishes, electrical and infrastructure in the basement and second floor.
- Installation of new partitions, HVAC system, plumbing, electrical systems and finishes to the basement and second floor.
- Restoration of existing windows.
- Installation of new windows on the second floor of the existing garage wing.
- Installation of ten new window openings and units on existing third floor.
- Installation of new exterior stucco finish and cornice on the third floor.
- Installation of new roofing on the main house and garage.
- Partial addition to the second floor above the existing garage.

The proposed partial addition to the second floor above the garage requires two variances to reduce the required yards along the north interior side and the east rear property lines.

Changes to MN Statute § 462.357, subd. 6, related to variances were signed into law by Governor Dayton last Thursday, April 28, 2011. Staff is requesting a continuance to allow for sufficient time to analyze new required legal findings and convene with the Zoning Board of Adjustment to discuss the proposed changes. Staff has consulted with the applicant regarding the request for continuance and they do not object. Therefore, staff is requesting a continuance of this application, one cycle, to the June 9, 2011, Zoning Board of Adjustment hearing.

Recommendation of the Department of Community Planning and Economic Development – Planning Division:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and continue the variance to reduce the minimum north interior side yard setback from 5 feet to approximately .3 feet (3.5 inches) allow for an addition to the existing dwelling above the attached garage for the property located at 1720 Franklin Avenue West in the R2 Two-Family Residence District and SH Shoreland Overlay District.

Recommendation of the Department of Community Planning and Economic Development – Planning Division:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and continue the variance to reduce the minimum rear yard setback from 6 feet to approximately 3 feet allow for an addition to the existing dwelling above the attached garage for the property located at 1720 Franklin Avenue West in the R2 Two-Family Residence District and SH Shoreland Overlay District.

Attachments:

- 1) Zoning map